



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT**  
**JOSEPH A. CURTATONE**  
**MAYOR**

**MICHAEL F. GLAVIN**  
EXECUTIVE DIRECTOR

**PLANNING DIVISION STAFF**

GEORGE PROAKIS, *DIRECTOR OF PLANNING*  
SARAH LEWIS, *SENIOR PLANNER*  
SARAH WHITE, *PLANNER/PRESERVATION PLANNER*  
ALEX MELLO, *PLANNER*  
DAWN PEREIRA, *ADMINISTRATIVE ASSISTANT*

**Case #:** ZBA 2017-08

**Date:** February 23, 2017

**Recommendation:** Conditional Approval

---

**PLANNING STAFF REPORT**

---

**Site:** 466 Medford Street

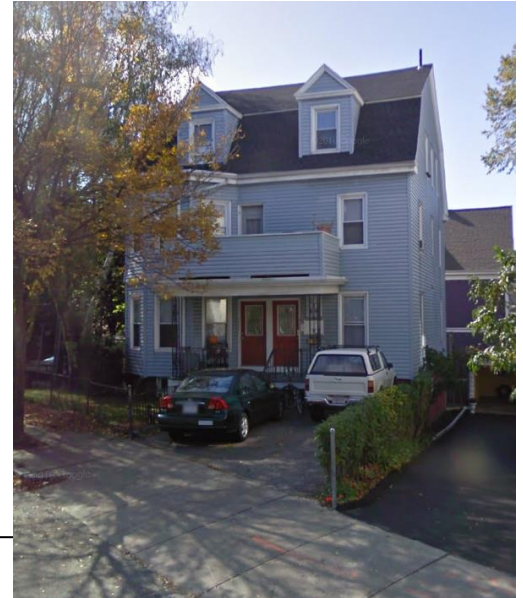
**Applicant Name:** Reginaldo Correa  
**Applicant Address:** 39 Crosby Street, Arlington, MA 02474  
**Owner Name:** The First Rock, LLC  
**Owner Address:** 16 Amaranth Place, Medford, MA 02155  
**Alderman:** Mark Niedergang

Legal Notice: Applicant, Reginaldo Correa, and Owner, The First Rock, LLC, seek a Special Permit under SZO §4.4.1 to construct an addition within the nonconforming right side yard and increase the floor area ratio (FAR) of a nonconforming structure and a Special Permit under SZO §9.13 for parking relief. RB Zone. Ward 5.

\*Upon further investigation, there is no increase in the number of required off-street parking spaces; therefore, a Special Permit under SZO §9.13 for parking relief is not required.

Dates of Public Hearing: Zoning Board of Appeals – March 1, 2017

---



**I. PROJECT DESCRIPTION**

1. Subject Property: The locus is located on the southwestern side of Medford Street at its intersection with Bartlett Street. It consists of a parcel of approximately 3,795 square feet that contains a four unit dwelling structure with approximately 3,916 square feet of net floor area. The basement is mostly storage and mechanical equipment with one habitable room, the first floor consists of a three-bedroom unit, the second floor consists of a an studio/efficiency unit a one-bedroom unit, and the third

floor consist of a three-bedroom unit. The locus has four off-street parking spaces, two of which are accessed from Medford Street and two of which are accessed from Bartlett Street.

Although the existing floor plans show the structure as a five-unit dwelling a Certificate of Inspection issued by the Inspectional Services Department (ISD) on September 14, 2016 indicate that there are actually four dwelling units in the structure.

2. Proposal: The proposal is to renovate the interior and exterior of the structure, construct two small additions, and construct new front and rear porches. The structure will remain a four-family dwelling. Interior renovations will include finishing the basement and performing a complete gut renovation of the first, second, and third floors. The proposed two-bedroom units (#1 and #2) will share half of the basement and half of the first floor and the proposed three-bedroom units (#3 and #4) will occupy the entire second and third floors respectively. The Applicant is also proposing two rear additions on the left and right of the structure. The right addition will include the basement and three living stories that will square out a notch in the existing building. The left addition is proposed on the second and third story that will also square out a notch in the existing building. Additionally, the Applicant proposes to demolish the existing rear porch and replace it with a new three-story rear porch as well as renovate the two-story porch in the front.

3. Green Building Practices: None listed on the Application form.

4. Comments:

*Ward Alderman*: Alderman Niedergang has been informed of this proposal and has not yet commented as of the publication of this report.

## **II. FINDINGS FOR SPECIAL PERMIT (SZO §4.4.1):**

In order to grant a special permit, the SPGA must make certain findings and determinations as outlined in §5.1.4 of the SZO. This section of the report goes through §5.1.4 in detail.

1. Information Supplied:

The Staff finds that the information provided by the Applicant conforms to the requirements of §5.1.2 of the SZO and allows for a comprehensive analysis of the project with respect to the required Special Permits.

2. Compliance with Standards: *The Applicant must comply "with such criteria or standards as may be set forth in this Ordinance which refer to the granting of the requested special permit."*

The structure is currently nonconforming with respect to the use as a four-family dwelling and the following dimensional requirements: lot area, lot area per dwelling unit, floor area ratio (FAR), front, rear, and right side yard setbacks, frontage, and the number of parking spaces.

The proposal will impact the nonconforming dimensions of FAR and right side yard setback. The current FAR is 1.03 where the maximum allowed is 1.0 and the proposal is to add 1,070 square feet of net floor area to the structure by finishing the basement and constructing two small additions to increase the FAR to 1.31. The current right side yard setback is 1.7 feet where the requirement is 10 feet and the proposal is to construct an addition in the rear on the right that will square off this corner of the building, which will

retain its 1.7 foot right side yard setback. These alterations to a nonconforming structure requires the Applicant to obtain special permits under §4.4.1 of the Somerville Zoning Ordinance (SZO).

Section 4.4.1 states that “[l]awfully existing nonconforming structures other than one- and two-family dwellings may be enlarged, extended, renovated or altered only by special permit authorized by the SPGA in accordance with the procedures of Article 5. The SPGA must find that such extension, enlargement, renovation or alteration is not substantially more detrimental to the neighborhood than the existing nonconforming building. In making the finding that the enlargement, extension, renovation or alteration will not be substantially more detrimental, the SPGA may consider, without limitation, impacts upon the following: traffic volumes, traffic congestion, adequacy of municipal water supply and sewer capacity, noise, odor, scale, on-street parking, shading, visual effects and neighborhood character.”

In considering a special permit under §4.4 of the SZO, Staff finds that the alterations/use proposed would not be substantially more detrimental to the neighborhood than the existing structure/use. The proposed alterations would allow for the rehabilitation of the interior and exterior of the structure of which currently has poorly designed interior floor plans. The proposal has been designed with setbacks that minimally impact the neighbors and the ground coverage, landscaped area, pervious area, building height, and left side yard setback will continue to be conforming to the requirements of the SZO.

3. Consistency with Purposes: *The Applicant has to ensure that the project "is consistent with (1) the general purposes of this Ordinance as set forth in Article 1, and (2) the purposes, provisions, and specific objectives applicable to the requested special permit which may be set forth elsewhere in this Ordinance, such as, but not limited to, those purposes at the beginning of the various Articles."*

The proposal is consistent with the general purposes of the Ordinance as set forth under §1.2, which includes, but is not limited to promote the health, safety, and welfare of the inhabitants of the City of Somerville; to provide for and maintain the uniquely integrated structure of uses in the City; to lessen congestion in the streets; to protect health; to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to conserve the value of land and buildings; to encourage the most appropriate use of land throughout the City; and to preserve and increase the amenities of the municipality.

The proposal is consistent with the purpose of the district, which is, “to establish and preserve medium density neighborhoods of one-, two- and three-family homes, free from other uses except those which are both compatible with and convenient to the residents of such districts.”

4. Site and Area Compatibility: *The Applicant has to ensure that the project "(i)s designed in a manner that is compatible with the characteristics of the built and unbuilt surrounding area, including land uses."*

*Surrounding Neighborhood:* The surrounding neighborhood land uses are predominantly single, two-, and three-family dwellings of two and two and one half story structures.

*Impacts of Proposal (Design and Compatibility):* The design of the proposed additions will have minimal effects on the structure and the neighborhood. Staff is recommending a condition that the design of the front and rear porches be reviewed and approved by Planning Staff when the design of such porches are further developed.

5. Adverse environmental impacts: *The proposed use, structure or activity will not constitute an adverse impact on the surrounding area resulting from: 1) excessive noise, level of illumination, glare,*

*dust, smoke, or vibration which are higher than levels now experienced from uses permitted in the surrounding area; 2) emission of noxious or hazardous materials or substances; 3) pollution of water ways or ground water; or 4) transmission of signals that interfere with radio or television reception.*

*Impacts of Proposal (Environmental):* There are no adverse environmental impacts anticipated from the proposal.

6. Vehicular and pedestrian circulation: *The circulation patterns for motor vehicles and pedestrians which would result from the use or structure will not result in conditions that create traffic congestion or the potential for traffic accidents on the site or in the surrounding area.*

*Impacts of Proposal (Circulation):* There are no adverse impacts on vehicular and pedestrian circulation anticipated from the proposal.

7. Housing Impact: *Will not create adverse impacts on the stock of existing affordable housing.*

The proposal will not create adverse impacts on the stock of existing affordable housing.

8. SomerVision Plan: *Complies with the applicable goals, policies and actions of the SomerVision plan, including the following, as appropriate: Preserve and enhance the character of Somerville's neighborhoods, transform key opportunity areas, preserve and expand an integrated, balanced mix of safe, affordable and environmentally sound rental and homeownership units for households of all sizes and types from diverse social and economic groups; and, make Somerville a regional employment center with a mix of diverse and high-quality jobs. The areas in the SomerVision map that are designated as enhance and transform should most significantly contribute towards the SomerVision goals that are outlined in the table below. The areas marked as conserve are not expected to greatly increase the figures in the table since these areas are not intended for large scale change.*

The locus is within an area of the SomerVision map that is designated to enhance. The proposal will allow the homeowners to enhance the exterior of the structure along a highly traveled corridor without significant impact on the neighborhood.

<i>SomerVision Summary</i>	<i>Existing</i>	<i>Proposed</i>
<i>Dwelling Units:</i>	4	4
<i>Parking Spaces:</i>	4	4

### III. RECOMMENDATION

#### Special Permit under §4.4.1

Based on the materials submitted by the Applicant, the above findings and subject to the following conditions, the Planning Staff recommends **CONDITIONAL APPROVAL** of the requested **SPECIAL PERMIT**.

The recommendation is based upon a technical analysis by Planning Staff of the application material based upon the required findings of the Somerville Zoning Ordinance, and is based only upon information submitted prior to the public hearing. This report may be revised or updated with new recommendations, findings and/or conditions based upon additional information provided to the Planning Staff during the public hearing process.

#	Condition	Timeframe for Compliance	Verified (initial)	Notes												
1	Approval is for the interior and exterior renovations of the four-family structure. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	ISD/Plng.													
	<table><tr><th>Date (Stamp Date)</th><th>Submission</th></tr><tr><td>January 10, 2017</td><td>Initial application submitted to the City Clerk's Office</td></tr><tr><td>December 8, 2016</td><td>Plans submitted to OSPCD (A-1, A-2, A-3, A-3A, A-4, A-5, A-6, A-7, A-8, A-10, and A-11)</td></tr><tr><td>November 18, 2016</td><td>Plans submitted to OSPCD (A-9)</td></tr><tr><td>January 12, 2017</td><td>Plans submitted to OSPCD (A-12, A-13, and A-14)</td></tr><tr><td>February 2, 2017</td><td>Plans submitted to OSPCD (A-15 and A-16)</td></tr></table>				Date (Stamp Date)	Submission	January 10, 2017	Initial application submitted to the City Clerk's Office	December 8, 2016	Plans submitted to OSPCD (A-1, A-2, A-3, A-3A, A-4, A-5, A-6, A-7, A-8, A-10, and A-11)	November 18, 2016	Plans submitted to OSPCD (A-9)	January 12, 2017	Plans submitted to OSPCD (A-12, A-13, and A-14)	February 2, 2017	Plans submitted to OSPCD (A-15 and A-16)
	Date (Stamp Date)				Submission											
	January 10, 2017				Initial application submitted to the City Clerk's Office											
	December 8, 2016				Plans submitted to OSPCD (A-1, A-2, A-3, A-3A, A-4, A-5, A-6, A-7, A-8, A-10, and A-11)											
	November 18, 2016				Plans submitted to OSPCD (A-9)											
	January 12, 2017				Plans submitted to OSPCD (A-12, A-13, and A-14)											
February 2, 2017	Plans submitted to OSPCD (A-15 and A-16)															
Any changes to the approved site plan or elevations/use that are not <i>de minimis</i> must receive SPGA approval.																
<b>Pre-Construction</b>																
2	The Applicant must contact the Engineering Department to coordinate the timeline for cutting or opening the street and/or sidewalk for utility connections or other construction. There is a moratorium on opening streets from November 1st to April 1st and there is a list of streets that have additional opening restrictions.	BP	Eng													
<b>Construction Impacts</b>																
3	The applicant shall post the name and phone number of the general contractor at the site entrance where it is visible to people passing by.	During Construction	Plng.													
4	The Applicant shall at their expense replace any existing equipment (including, but not limited to street sign poles, signs, traffic signal poles, traffic signal equipment, wheel chair ramps, granite curbing, etc) and the entire sidewalk immediately abutting the subject property if damaged as a result of construction activity. All new sidewalks and driveways must be constructed to DPW standard.	CO	DPW													
5	All construction materials and equipment must be stored onsite. If occupancy of the street layout is required, such occupancy must be in conformance with the requirements of the Manual on Uniform Traffic Control Devices and the prior approval of the Traffic and Parking Department must be obtained.	During Construction	T&P													
<b>Design</b>																

6	Applicant shall provide final material samples for siding, trim, windows, doors, and the rear and front porches to Planning Staff for review and approval prior to construction.	BP	Plng.	
7	An exterior light and electrical receptacle is required for the all levels of the porches and an electrical receptacle is required for the second level (if there is no access to the ground).	Final sign off	Wiring Inspector	
<b>Site</b>				
8	Landscaping shall be installed and maintained in compliance with the American Nurserymen's Association Standards.	Perpetual	Plng. / ISD	
<b>Traffic &amp; Parking</b>				
9	Each dwelling unit on the locus shall each be designated one off-street parking space.	Perpetual	Plng. / ISD	
<b>Miscellaneous</b>				
10	The Applicant, its successors and/or assigns, shall be responsible for maintenance of both the building and all on-site amenities, including landscaping, fencing, lighting, parking areas and storm water systems, ensuring they are clean, well kept and in good and safe working order.	Cont.	ISD	
<b>Public Safety</b>				
11	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
12	To the extent possible, all exterior lighting must be confined to the subject property, cast light downward and must not intrude, interfere or spill onto neighboring properties.	CO	Plng.	
13	The Applicant shall provide notice of intent to strictly comply with applicable State and Federal regulations regarding air quality including without limitation continuous dust control during demolition and construction.	CO	Plng/OS E	
<b>Final Sign-Off</b>				
14	The Applicant shall contact Planning Staff at least five working days in advance of a request for a final inspection by Inspectional Services to ensure the proposal was constructed in accordance with the plans and information submitted and the conditions attached to this approval.	Final sign off	Plng.	

